

MEMORIAL

OF

E. T. LANGHAM AND A. W. McDONALD.

JUNE 6, 1836.

Referred to the Committee on Roads and Canals.

To the Speaker of the House of Representatives of the United States:

SIR: We ask the favor of you to communicate to the House of Representatives, this, our memorial, setting forth what is intended, and what in practice is like to be, the actual operation and effect of the bill reported to the House of Representatives from the Committee on Roads and Canals, "appropriating the sum of \$40,000 to be expended under the direction of the Secretary of War, in the improvement of the harbor of St. Louis, in the State of Missouri:" said bill marked H. R. 154, is herewith presented.

This bill is understood to have originated in the representations, and upon the petition of certain inhabitants of the city of St. Louis, defining and making out the precise object to be attained, by means of the appropriation therein made, to be the removal of a large and now permanent body of land (exceeding 500 acres) originally an island, but by accretion or alluvion, now joined to so much of the low land on the river Mississippi as constitutes the site of the southern portion of the city of St. Louis, and thus to restore the main stream of the river to its ancient channel, now occupied and filled up with such accretion or alluvion, and so far diverting the main stream of the river from its present bed or channel.

The body of land so intended to be removed, and its place converted into a channel for the river, has been appropriated by the solemn sanctions of the law, and a sacred pledge of the public faith, to private use, and under such sanction and pledge, converted from public domain to the property of individual citizens.

The title by which those individuals have acquired their right to the land in question, and the grounds upon which that title and those rights are assailed, by the persons at whose instance the said bill has been reported to the House of Representatives; are set forth in document No. 197, printed for the use of the House of Representatives, a copy of which is herewith filed. A bill varying in terms, but having the same object, and intended to operate the same effect; and proceeding from the aforesaid representations and petition of the same persons, has also been reported to the Senate from the Committee on Commerce, providing for "a pier to give direction to the current of the Mississippi river near the city of St. Louis, in the State of Missouri," and appropriates \$20,000 for that object; a copy of which bill marked S. 230, is also herewith presented.

We, sir, as the legal assignees of the title to the land in question, together
Blair & Rives, printers.

with Mr. A. H. Evans, part owner of the same land, very respectfully submit our protest against any legislative action upon the subject, tendering to the condemnation, or appropriation of the land in question, to any scheme for the supposed improvement of navigation, or of the harbor of St. Louis.

The pretences upon which the individual movers of this supposed improvement proceed are, first, the common interest and convenience of the city of St. Louis; and, secondly, the supposed rights of individuals owning lots adjacent.

As to the first, we beg leave to remark, that the city of St. Louis, as a community, can have no interest in the question, since the very land in question must necessarily constitute a part of the city itself, and a most valuable and important part, with all the advantages of navigation and harbor afforded by the river; and the only question is, what portion of its citizens, and what individual owners of lots are entitled to the existing advantages of water property? Those to whom the operation of great natural causes has already given them, or those who seek to obtain them, by artificial means, counteracting the operation of those natural causes, and contending against them, with *more than a doubtful* chance of permanent success.

As to the second pretence, which sets up the rights of riparian proprietors to land, formed by accretion or alluvion, in the bed of a public river, against the grantees of the same public domain, we conceive it wholly unnecessary for us to urge more, than that, at best, it is but a question of proprietary right, between different claimants, all deriving title directly or indirectly from the local sovereign in whom the domain was originally vested; that the question of the title to alluvion lands in the valley of the Mississippi, is one of very extensive connection with land titles, going probably to the very foundation of the title of the very riparian proprietors, who now claim our land as an accretion to their soil, which, itself may have been but an accretion to the soil of some other proprietors. That these persons, by their own shewing, have not the advantages attached to their possessions, of riparian proprietors, bordering on a navigable river, or a harbor for vessels; that the seat of the river trade has been long removed to a different quarter of the city; and that it is not shown that their lots at any time since the present proprietors acquired them, were ever in a better condition, in regard to the river trade, than at present, and that the formation of a harbor adjacent to their lots (if such scheme *be at all practicable*) would be a clear sacrifice of our property for their emolument.

These considerations we respectfully suggest show that the ultimate effect intended by these bills, is not demanded by public expediency, nor justified upon the principles of distributive justice.

But whatever may be the particular opinions of individuals upon these points, we feel assured that no consideration of public expediency, nor any sympathy with the supposed rights or wrongs of individuals, can induce Congress to depart *so far* from the principles of legitimate legislation, as either to destroy the property of an individual for a public object, without adequate compensation to the individual; or, to take away property or rights from one citizen, to give to, or benefit another, until the title to hold the property, or to enjoy the rights, has been adjudicated, between the adverse claimants, by the regular tribunals of the country.

If there be any thing in the adverse claim set up, for what are called the "riparian proprietors," against our title as grantees of the public do-

main; it is for the tribunals above mentioned to decide on the validity of the claim, and enforce the rights of those asserted proprietors, by adequate remedies. When they have so established *their title*, to the land in question as a mere alluvion accretion to their own soil, (upon which ground alone they pretend to claim it,) it will be time enough then for them to ask of Congress an appropriation of money to annihilate the property to which they may so have established their *title*.— But quite *unprecedented* is a petition praying for the destruction of *another's property* for the benefit of the petitioners, without other apology than an outstanding and unauthenticated adverse claim in their own right.

We beg leave further to suggest, that, if upon consideration of the whole matter, Congress should, contrary to our opinions and expectations, deem that any great public benefit really demands the execution of the scheme for the *supposed improvement* of the harbor of St. Louis by the demolition of our property, we are not disposed to stand obstinately in the way of a scheme so sanctioned, but in that case would agree to give up so much of our property as the projected scheme of improvement, contemplates the destruction of; for the sake of the experiment, upon receiving from the public its fair value; which we estimate at not less than two hundred thousand dollars.

Your memorialists rest in perfect security, confident that Congress will neither impair their rights, or injure their property, without amply providing for their indemnity.

ELIAS T. LANGHAM,

(By A. W. McDonald)

ANGUS W. McDONALD.

H. R. 154.

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 14, 1836.

Mr. CALHOON, from the Committee on Roads and Canals, reported the following bill:

A BILL

For the improvement of the harbor of St. Louis, in the State of Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of forty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated to be expended under the direction of the Secretary of War, in the improvement of the harbor of St. Louis, in the State of Missouri.

APRIL 1, 1836.

Mr. ASHLEY, of Missouri, presented to the House the following:

REGISTER'S OFFICE,
City of St. Louis, March 15, 1836.

SIRS: In pursuance of an order from the authorities of this city, I enclose herewith copies of certain papers relative to the location of a New Madrid certificate upon the sand bar and strip of land in front of this city, which is now claimed by E. T. Langham and others.

Respectfully,

J. A. WHERRY, *Register.*

To the Hon. WILLIAM H. ASHLEY, and

A. G. HARRISON,

House of Representatives, U. S.

RECORDER'S OFFICE,
St. Louis, February 9, 1836.

SIR: This office does not afford any of the information sought by the resolution which you enclosed to me; the resolution is herewith returned to you:

Very respectfully,

Sir, your obedient servant,

F. R. CONWAY.

JOS. A. WHERRY, Esq.

City Register, St. Louis, Mo.

LAND OFFICE AT ST. LOUIS, Mo.
Register's Office, February 11, 1836.

SIR: Yours of the 9th, enclosing a resolution of the board of aldermen of this city, under date of the 8th instant, has been duly received.

The resolution calls on this and other offices for, 1st: "A copy of the location of the New Madrid certificate, and the certificate itself, under which E. T. Langham, and others, claim part of the sand bar opposite the city, and a certain strip of land on the margin of the river, within the limits of this city."

2d: "A copy of the pre-emption location, and of the proofs, under Robert Duncan, under whom said Langham, and others, claim part of said sand bar, and the evidence in said offices tending (to) the subject."

In answer to the 1st section of the resolution: There is no evidence in this office.

In reply to the 2d section: It is made my duty to forward, with my monthly returns, to Washington city, the evidence in pre-emption rights admitted; which was accordingly done in the case referred to, in my report of December last.

There exists in this office, now, no other evidence of the pre-emption of Robert Duncan, other than the entry in the books thereof, of which the following is a transcript:

"5th December, 1835. Receiver's receipt, No. 5,812, Robert Duncan, of St. Louis county, Mo. (under) the pre-emption act of 1834, (entered) fract. sec. 24; N. W. fr. qr. and N. $\frac{1}{2}$ of S. W. qr. sec. 25; N. E. fr. qr. and N. $\frac{1}{2}$ of S. E. qr. sec. 26, on island in Mississippi river; township No. 45, N. R. 7 east; containing 160 acres; amounting to \$200."

Very respectfully,

Your obedient servant.

W. CHRISTY, *Register.*

J. A. WHERRY, Esq.

Register, City of St. Louis.

No. 333.

OFFICE OF THE RECORDER OF LAND TITLES,
St. Louis, September 26, 1817.

I certify that a tract of six hundred and forty acres of land, situated in Marais des Pechis, county of New Madrid, which appears from the books of this office to be owned by John B. Thibault, has been materially injured by earthquakes; that said Thibault has been already relieved for one hundred and sixty acres, (see certificate No. 222); therefore, in conformity to the provisions, and to complete the limitation contained in the act of Congress of 17th February, 1815, the said John B. Thibault, or his legal representatives, is entitled to locate four hundred and eighty acres of land, on any of the public lands of the Territory of Missouri, the sale of which is authorized by law,

FREDERICK BATES.

SURVEYOR'S OFFICE,
St. Louis, February 11, 1836.

The above is correctly copied from the original certificate on file in this office.

E. T. LANGHAM.

Know all men by these presents: that, whereas, by an act of Congress, entitled "a bill for the relief of Archibald Gamble," approved January 28, 1833, it was enacted, that the heirs or assigns of John B. Thibault, who are entitled to a New Madrid certificate, numbered three hundred and thirty-three, for four hundred and eighty acres, heretofore entered in township number forty-six, range six east, of the fifth principal meridian, be, and were thereby, authorized to enter four hundred and eighty acres of land on any of the public lands in the State of Missouri, the sale of which is authorized by law: *Provided*, that the said heirs or representatives of said John B. Thibault, so entitled as aforesaid, before making said location or entry, shall execute a release to the United States, for all claim and right to the land upon which said certificate had been heretofore entered. Now this deed witnesseth, that I, Archibald Gamble, claiming by regular chain of title as the assignee or legal representative of said John B. Thibault, the said certificate, number three hundred and thirty-three, and the land heretofore located by virtue thereof, in township number forty-six north, in range six east, of the fifth principal meridian; do, by these presents, release

unto the United States all the right, title and claim, of myself and my heirs, or assigns, or of the said John B. Thibault, of, in and to the southwest fractional quarter of section twenty-two, the southeast fractional quarter of same section, the northwest fractional quarter of section twenty seven, and so much of the east half of the same section as makes the quantity of four hundred and eighty acres, in township forty-six north, range six east, to have and to hold to the said United States or their assigns forever.

In testimony whereof, I have hereunto set my hand and seal, at the city of St. Louis, this 15th day of March, in the year eighteen hundred and thirty-four.

ARCHIBALD GAMBLE, [Seal.]

STATE OF MISSOURI, *county of St. Louis, ss.*

Be it remembered that on this 15th day of March, in the year eighteen hundred and thirty-four, personally appeared before me, one of the justices of the peace of the county of St. Louis, the above named Archibald Gamble, who is personally well known to me as the person executing the deed of release to the United States, and acknowledged the same to be his act and deed, hand and seal, for the purposes therein mentioned, taken and certified the day and year aforesaid.

PETER FERGUSON,

Justice of the Peace for the county of St. Louis.

SURVEYOR'S OFFICE,

St. Louis, August 17, 1835.

This deed from Archibald Gamble to the United States, bearing date the fifteenth of March, eighteen hundred and thirty-four, was filed by said Archibald Gamble on or about the twentieth of March, in said year eighteen hundred and thirty-four, in this office; and it appears, from the records of this office, that the tract of land released to the United States by this deed, is the same tract of land upon which New Madrid certificate, numbered three hundred and thirty three, was heretofore entered.

E. T. LANGHAM.

SURVEYOR'S OFFICE,

St. Louis, February 11, 1836.

The foregoing is a correct copy of the original deed on file in this office, and recorded on page 153 of book A.

E. T. LANGHAM.

ST. LOUIS, MISSOURI, *August 17, 1835.*

SIR: By an act of Congress of the United States, entitled "an act for the relief of Archibald Gamble," approved January 28, 1833, (a copy of which said act is herewith filed, and made part and parcel hereof,) the heirs or assigns of John B. Thibault, who are entitled to New Madrid certificate, numbered three hundred and thirty-three, for four hundred and eighty acres of land, heretofore entered in township numbered forty-six, range number six east of the fifth principal meridian, are authorized to enter four hundred and eighty acres of land on any of the public lands in the State of Missouri, the sale of which is authorized by law: *Provided*, That the said heirs or representatives of said John B. Thibault, so entitled as aforesaid, before making said location or entry, shall execute a release to

the United States for all claim and right to the land upon which said certificate has been heretofore entered. Now I, the said Archibald Gamble, assignee and legal representative of the said John B. Thibault, having executed heretofore, and filed in your office, a deed bearing date the fifteenth of March, eighteen hundred and thirty-four, releasing to the United States all claim and right of the heirs or representatives of said John B. Thibault to the land upon which said New Madrid certificate, numbered three hundred and thirty-three, was heretofore entered, do hereby, in virtue and by authority of the above mentioned act of Congress, locate and enter four hundred and eighty acres of land on the following described tract or parcel of the public lands of the United States in the State of Missouri, to wit: being in township numbered forty-five north of the base line, of range numbered seven east of the fifth principal meridian, and bounded as follows, to wit: northwardly by Willow street, in the city of St. Louis, prolonged to the river Mississippi; eastwardly by said river Mississippi, and public land; southwardly by said river Mississippi, and public land; westwardly and northwardly by lands confirmed or claimed under the laws of the United States, in the names of the following named persons, to wit: Benito Vasques, Joseph Brazeau under Benito Vasques, Joseph Brazeau, Antoine Soulard under Gabriel Cerre, James Mackay, Auguste Chouteau, and John B. Provenchere's legal representatives; and by town lots in the city of St. Louis, in blocks numbered forty-five, forty-four, forty-three, forty-two, forty-one, one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen, which lots were heretofore confirmed by laws of the United States to individual persons, or reserved by said laws for the support of schools.

In surveying the above location or entry, and determining the area thereof, I request that you will leave out of said survey, and out of the computation of the area thereof, the land claimed by Robert Duncan, where he now lives, in right of pre-emption.

ARCHIBALD GAMBLE.

TO ELIAS T. LANGHAM,

Surveyor of public lands in the States of Illinois and Missouri.

SURVEYOR'S OFFICE,
St. Louis, August 17, 1835.

Examined and received for record.

E. T. LANGHAM.

SURVEYOR'S OFFICE,
St. Louis, February 11, 1836.

The foregoing is correctly copied from the original location on file in this office, and recorded on page 154, book A. The copy of the act of Congress referred to within, is copied on the following page.

E. T. LANGHAM.

AN ACT for the relief of Archibald Gamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heirs or assigns of John B. Thibault, who are entitled to a New Madrid certificate, numbered

three hundred and thirty-three, for four hundred and eighty acres, heretofore entered in township number forty-six, range six east of the fifth principal meridian, be, and are hereby, authorized to enter four hundred and eighty acres of land on any of the public lands in the State of Missouri, the sale of which is authorized by law: *Provided*, That the said heirs or representatives of said John B. Thibault, so entitled as aforesaid, before making said location or entry, shall execute a release to the United States for all claim and right to the land upon which said certificate has been heretofore entered.

To the Hon. Thomas H. Benton and Lewis F. Linn, Senators, and Wm. H. Ashley and Albert G. Harrison, Representatives in Congress of the State of Missouri.

GENTLEMEN: The undersigned, your constituents, inhabitants of the city of St. Louis, beg leave to call your attention to certain matters which very materially affect their interests, as well as the interests of the United States.

It is known to you that the authorities of the city of St. Louis have made several efforts to procure from the Government of the United States a removal of the island, or sand bar, which has been made by an accumulation of logs and sand, opposite to the lower part of the city; and which has obstructed the landing along a portion of the margin of the river, and from time to time threatens still further to block up and injure the harbor. Knowing that the subject had been brought before Congress at a former session, and that your exertions would not be wanting to procure a favorable result at the present session, we should have waited for that result, without troubling our representatives further, had not certain events occurred here, which have an adverse bearing upon the attainment of our object.

It seems, that while the action of Congress with respect to the improvement of our harbor has been delayed, a person by the name of Robert Duncan built a hut on the island or sand-bar in question, and that recently he has preferred to the proper land office his claim to a pre-emption. This claim has been allowed, and he has received the proper voucher for obtaining a patent, and has transferred all his right therein, as is believed, to Elias T. Langham, the surveyor general, and A. H. Evans. Mr. Langham has also, as we understand, located on other portions of said sand-bar, and upon sundry strips of ground along the margin of the river, adjacent to the sand-bar, and along the whole front of the city, a New Madrid certificate. It is now pretended on the part of Mr. Langham and others, who are interested in the speculation, that the sand-bar, or a considerable portion of it, is individual property: and plans are already on foot to divert the natural course of the river, and to bring a part of the bar into a line with the landing of the upper part of the town, and make it the permanent landing for the lower part of the city. The result of success in these efforts will be the following:

1. It will throw all the lots in the south part of the town, calling for the river as a boundary, *inland* a considerable distance, and greatly injure their value; for it is evident that, if this island is permitted to remain as

private property, it will be improved, and the channel between it and the town will be filled up.

2. It will give a permanent direction of the current of the river towards the Illinois shore, which will affect the navigation and course of the river for an indefinite distance below. The landing on the Missouri side will be destroyed by sand-banks and accretion, and in time that shore extended perhaps for miles; while encroachments will be made to the same extent on the Illinois side. The injury to private right will thus be incalculable: while the United States will be deprived of a landing at the arsenal and barracks, upon a river the navigation of which, like that of the sea within their jurisdiction, would seem to belong to their exclusive control.

3. A great injury may, and in time perhaps will, be sustained by the State of Illinois. The bottom land on the Illinois side of the river is of many miles in width; and is settled and improved below this place, and is exceedingly fertile. Private enterprise ought not to be permitted to subtract from the territory of that or any other State, by diverting or altering the direction of a great navigable stream, which is a common boundary of two States. If this can be done in the present instance, then on the same principles the owners of Bloody island, which is in the State of Illinois, may construct piles and artificial works that will turn the current from this city, and utterly ruin its harbor.

Our objects in this communication are: *First*, to call your attention to the necessity of early action by Congress upon the subject of the removal of the sand-bar. *Secondly*, to request that proper steps may be taken to prevent the issuing of patents on the pre-emption and New Madrid locations mentioned above.

As to the *first*, nothing further need be said, except that the bill should provide that any money appropriated for the improvement of the harbor of St. Louis, should be expended under the superintendence of a proper agent, engineer, or officer of the United States.

In regard to the patents, we will observe, that even if a private right has vested in Langham and his associates, yet the United States, for the benefit of the harbor of St. Louis, the preservation of the current of the Mississippi in its ancient channel, along the bold shore of this State, and the protection of the property of the Government, as well as that of a mass of individuals, should remove the bar, and indemnify those who own any interest in it.

But it seems very questionable whether this sand-bar or island can be the subject matter of a grant by Government. We understand that, during the existence of the Spanish Government here, a bar commenced (where the one in question is) and increased for a length of time, till it became an island, (that is, till it was above water throughout the year, as it is at present,) when certain persons petitioned for a concession of it, which was refused by the Spanish authorities, on the ground that the convenience of the inhabitants of St. Louis forbid the acquisition of the title to it by individuals. In a few years thereafter, that bar was entirely swept away, and the channel of the Mississippi, as theretofore, continued along the Missouri shore. Accordingly, it is well known that twenty or thirty years ago the place of business in this town was at the southern end of it. The present bar, by its obstacles to navigation, has caused the business of the town to travel up to that part of the town where the obstruction does not exist; so that the ancient business lots and landing of the place have been deserted

by the merchants. The grants of those lots in the southern part of the town, in many instances, in terms, call for the river. Has the Government, after granting lots in such terms, a right to dispose of, to individuals, and thus interpose between them and the river, a sand-bar, that has grown up to be an island since the grant of the lots? On the contrary, have not the owners a right, acquired at the time of the grant, to be bounded by the river; and for that purpose to remove any obstructions to navigation, or any bars or other obstacles, that should threaten to turn the river from their lots? Certainly they might have done this with regard to the bar in its incipient stage; and if so, if when the bar first commenced, and during its increase, they had a right to stop its growth and remove it, because it threatened to injure their landing, and turn the river from the front of their lots, at what moment did their right cease? Certainly the fact that the bar is now of such a size that it remains above water, except occasionally, when the annual flood is unusually high; the fact that it has bushes and small trees growing upon it, does not alter its character. It is only, in such a state, a larger and more permanent obstruction to the navigation along the front of those lots, originally granted with a river boundary, when there was no sand-bar there. It would seem, therefore, that the United States acquired, and could acquire, no right in this bar, which they could sell under the acts of Congress. If the Government had any right in it, it had such right as it has to the sea along our coast, or to a sand-bank that should arise in or near our harbor there: a right to hold it, or remove it, for the benefit of navigation.

By the civil law, and by the Spanish law, which was the general law here till its abolition in 1816, all islands arising in rivers, whether navigable or not, belonged to the riparian proprietors. (See Cooper's *Justinian*, page 74; and Partidas's translation. 1 vol. page 346.) If this bar commenced under those laws, it would seem to be now the property of the proprietors of the adjacent lots, on the Missouri side, and not the property of the Government; and, therefore, not susceptible of sale by the Government. Under the common law, which was introduced here in 1816, islands arising in rivers, above the ebb and flow of the tide, belonging to the riparian proprietors: so that whether this island was formed under the Spanish or American Government, the right of the Government to dispose of it is very questionable, to say the least.

There is another view of this subject, derived from the character of the Mississippi, which is deserving of consideration.

The laws of Spain and of England, and of ancient Rome, on this subject, were made as applicable to the rivers of those countries; and with such application, and in analogous instances, are reasonable and wise. But such laws never could have been considered as applicable to the Mississippi, had it existed in either of those countries. Their streams, in comparison, are mere creeks and rivulets. The Mississippi below the mouth of the Missouri is, moreover, extremely rapid, and carries down immense quantities of sand and trees, &c. which circumstances give it its peculiar character, of shifting its channel, which it is doing perpetually, as every person who has navigated it is aware. Along its banks, and dependent on its navigation for their prosperity, are settled a number of populous and powerful communities, occupying already a space of about two thousand miles from its mouth; while the land bordering on it for that distance has been, for the most part, granted to individuals by the Government. Now,

under these circumstances, who has a right, in case an island or bar should form, to occupy it as private property, and, by permanent improvements upon it, perhaps change the current for twenty miles below? Have not all these communities and riparian proprietors a vested right to have the river kept in its ancient channel? The slightest obstruction, as the sinking of a keel-boat, or a temporary obstacle from ice, makes a bar, and causes the channel to wear away the bank on one side of the river, and to desert the other. We should suppose that these considerations would induce the belief, that any bar or island that should spring up in the Mississippi under such circumstances, must be considered in the light of a nuisance, which might be removed by those whose interests are endangered thereby. The common good of all on its banks requires such to be law: and it can make no difference in the reasonableness of the principle, whether the removal takes place before the sand-bar aspires to the dignity of an island, or after it has attained that character.

For these reasons, we protest against the locations above mentioned, and through you, desire such measures to be taken as will most effectually prevent a recognition by Government of these pretended titles.

Daniel D. Page

H. L. Hoffman

John H. Gay

John W. Johnson

Charles R. Hall

David Shepperd

Antoine Chinie

J. S. Pease

A. L. Mills

D. B. Hill

H. Richards

C. Mullikin

W. C. Wiggins

Jno. Simonds, sen.

Isaac A. Letcher

H. McKee

N. Rannay

Tho. H. West

Theodore Papin

Beverly Allen

Jacob Cooper

P. D. Papin

Wm. Glasgow

C. Campbell

Edward P. Mitchell

Bernard Pratte

B. Chouteau, jr.

John B. Sarpy

John F. A. Sanford

Cerré

J. O'Fallon

Augs. Kerr

F. L. Ridgeley

Wm. Smith

Jno. Smith

Bernard Pratte, jr.

Matthew Kerr

S. C. Christy

James P. Spencer

D. Busby

John Goodfellow

Richard Rapier

Hyt. Papin

Samuel Mount

Jos. C. Laveill

L. A. Benoist

E. Dobyns

Theodore L. M. Gill

George W. Kerr

Thomas McLaughlin

John M. Wimer

Fs. C. Tesson

Edward P. Tesson

Silas Drake

James Timon

D. Coons

James Clement

Gabriel S. Chouteau

W. Call

Elkanah English

Heath

Thos. Cohen

George Collier

William Atwell

James Gordon

Asa Wilgus

J. T. Swearingen

Geo. Hotton

William Clarke
Wm. Preston Clark
C. Keemle

Aug. Keemle
Geo. Morton
James C. Essex

JOHN F. DARBEY,

Mayor of the city of St. Louis.

In behalf of the mayor, aldermen and citizens of the city of St. Louis,
by order of the Board of Aldermen.

S. 230.

IN SENATE OF THE UNITED STATES.

APRIL 23, 1836.

Mr. DAVIS, from the Committee on Commerce, reported the following bill;
which was read twice, and postponed to, and made the order of the day
for, Monday, the second of May next.

A BILL

For the improvement of certain harbors, and for the survey of certain proposed improvements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the greater security of navigation, the following sums of money be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the following purposes, to wit:

For the construction of breakwater at the mouth of Trail creek, upon Lake Michigan, in the State of Indiana, twenty-five thousand dollars.

For the construction of a pier or breakwater at the mouth of St. Joseph's river, on Lake Michigan, thirty thousand dollars.

For a pier to give direction to the current of the Mississippi river, near the city of St. Louis, in the State of Missouri, twenty thousand dollars.

For enlarging and otherwise improving the mouth of Christiana creek, in Delaware, so as to render the same a convenient harbor and place of refuge from floating ice, thirty thousand dollars.

For making further improvements in the harbor of Newcastle, in the State of Delaware.

For a sea-wall to preserve Fairweather island, near Black Rock harbor, in the State of Connecticut, twenty-seven thousand nine hundred and forty dollars.

For securing the public works at the harbor of Southport, in Connecticut, two thousand five hundred dollars.

For further securing the beach at Cedar point, in Connecticut, fifteen hundred dollars.

For deepening the entrance into Manchester harbor, in Massachusetts, five thousand dollars.

For preserving the point of land leading to the fort and light-house, at the Gurnet, in Duxbury, Massachusetts, by hurdles or double ranges of piles, five thousand dollars.

For deepening the channel to eight feet between the islands of North and South Hero, near St. Alban's, in Lake Champlain, in Vermont, twenty-five thousand dollars.

For deepening the channel leading into Bridgeport harbor, in the State of Connecticut, ten thousand dollars.

For deepening the harbor of Baltimore, in the State of Maryland, thirty thousand dollars.

For a survey of the head waters of Chesapeake bay, pursuant to a resolution of the Legislature of Maryland, five hundred dollars.

For a survey of Crow shoal, in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor, one thousand dollars.

For the survey of St. Francis and White rivers, in Arkansas and Missouri, to determine upon the expediency of removing the natural rafts thereon, one thousand dollars.

For the survey of the mouth of Milwaukee river, in Wisconsin, on Lake Michigan, to determine the practicability of making a harbor by deepening the channel, four hundred dollars.

For the survey of a ledge near Owl's-head harbor, in Maine, to determine the expediency of erecting thereon a breakwater to improve said harbor, four hundred dollars.

SEC. 2. *And be it further enacted*, That the reports upon all the aforesaid surveys shall contain a statement of all such facts within the knowledge of the engineers respectively making the surveys, as are or may be in any way materially connected with the proposed improvements, and also with estimates, in detail, of the sums of money necessary for such improvements, respectively.

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